

# Senate File 340 - Enrolled

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1 1 SENATE FILE 340  
1 2  
1 3 AN ACT  
1 4 RELATING TO THE SEX OFFENDER REGISTRY, MAKING FEES  
1 5 APPLICABLE, AND PROVIDING FOR PENALTIES.  
1 6  
1 7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
1 8  
1 9 DIVISION I  
1 10 SEX OFFENDER REGISTRY  
1 11 Section 1. NEW SECTION. 692A.101 DEFINITIONS.  
1 12 As used in this chapter and unless the context otherwise  
1 13 requires:  
1 14 1. a. "Aggravated offense" means a conviction for any of  
1 15 the following offenses:  
1 16 (1) Sexual abuse in the first degree in violation of  
1 17 section 709.2.  
1 18 (2) Sexual abuse in the second degree in violation of  
1 19 section 709.3.  
1 20 (3) Sexual abuse in the third degree in violation of  
1 21 section 709.4, subsection 1.  
1 22 (4) Lascivious acts with a child in violation of section  
1 23 709.8, subsection 1 or 2.  
1 24 (5) Assault with intent to commit sexual abuse in  
1 25 violation of section 709.11.  
1 26 (6) Burglary in the first degree in violation of section  
1 27 713.3, subsection 1, paragraph "d".  
1 28 (7) Kidnapping, if sexual abuse as defined in section  
1 29 709.1 is committed during the commission of the offense.  
1 30 (8) Murder in violation of section 707.2 or 707.3, if  
1 31 sexual abuse as defined in section 709.1 is committed during  
1 32 the offense.  
1 33 (9) Criminal transmission of human immunodeficiency virus  
1 34 in violation of section 709C.1, subsection 1, paragraph "a".  
1 35 b. Any conviction for an offense specified in the laws of  
2 1 another jurisdiction or any conviction for an offense  
2 2 prosecuted in federal, military, or foreign court, that is  
2 3 comparable to an offense listed in paragraph "a" shall be  
2 4 considered an aggravated offense for purposes of registering  
2 5 under this chapter.  
2 6 2. "Aggravated offense against a minor" means a conviction  
2 7 for any of the following offenses, if such offense was  
2 8 committed against a minor, or otherwise involves a minor:  
2 9 a. Sexual abuse in the first degree in violation of  
2 10 section 709.2.  
2 11 b. Sexual abuse in the second degree in violation of  
2 12 section 709.3.  
2 13 c. Sexual abuse in the third degree in violation of  
2 14 section 709.4, except for a violation of section 709.4,  
2 15 subsection 2, paragraph "c", subparagraph (4).  
2 16 3. "Appearance" means to appear in person at a sheriff's  
2 17 office.  
2 18 4. "Business day" means every day except Saturday, Sunday,

2 19 or any paid holiday for county employees in the applicable  
2 20 county.

2 21 5. "Change" means to add, begin, or terminate.

2 22 6. "Child care facility" means the same as defined in  
2 23 section 237A.1.

2 24 7. "Convicted" means found guilty of, pleads guilty to, or  
2 25 is sentenced or adjudicated delinquent for an act which is an  
2 26 indictable offense in this state or in another jurisdiction  
2 27 including in a federal, military, tribal, or foreign court,  
2 28 including but not limited to a juvenile who has been  
2 29 adjudicated delinquent, but whose juvenile court records have  
2 30 been sealed under section 232.150, and a person who has  
2 31 received a deferred sentence or a deferred judgment or has  
2 32 been acquitted by reason of insanity. "Conviction" includes  
2 33 the conviction of a juvenile prosecuted as an adult.  
2 34 "Convicted" also includes a conviction for an attempt or  
2 35 conspiracy to commit an offense. "Convicted" does not mean a  
3 1 plea, sentence, adjudication, deferred sentence, or deferred  
3 2 judgment which has been reversed or otherwise set aside.

3 3 8. "Criminal or juvenile justice agency" means an agency  
3 4 or department of any level of government or an entity wholly  
3 5 owned, financed, or controlled by one or more such agencies or  
3 6 departments which performs as its principal function the  
3 7 apprehension, prosecution, adjudication, incarceration, or  
3 8 rehabilitation of criminal or juvenile offenders.

3 9 9. "Department" means the department of public safety.

3 10 10. "Employee" means an offender who is self-employed,  
3 11 employed by another, and includes a person working under  
3 12 contract, or acting or serving as a volunteer, regardless of  
3 13 whether the self-employment, employment by another, or  
3 14 volunteerism is performed for compensation.

3 15 11. "Employment" means acting as an employee.

3 16 12. "Foreign court" means a court of a foreign nation that  
3 17 is recognized by the United States department of state that  
3 18 enforces the right to a fair trial during the period in which  
3 19 a conviction occurred.

3 20 13. "Habitually lives" means living in a place with some  
3 21 regularity, and with reference to where the sex offender  
3 22 actually lives, which could be some place other than a mailing  
3 23 address or primary address but would entail a place where the  
3 24 sex offender lives on an intermittent basis.

3 25 14. "Incarcerated" means to be imprisoned by placing a  
3 26 person in a jail, prison, penitentiary, juvenile facility, or  
3 27 other correctional institution or facility or a place or  
3 28 condition of confinement or forcible restraint regardless of  
3 29 the nature of the institution in which the person serves a  
3 30 sentence for a conviction.

3 31 15. "Internet identifier" means an electronic mail  
3 32 address, instant message address or identifier, or any other  
3 33 designation or moniker used for self-identification during  
3 34 internet communication or posting, including all designations  
3 35 used for the purpose of routing or self-identification in  
4 1 internet communications or postings.

4 2 16. "Jurisdiction" means any state of the United States,  
4 3 the District of Columbia, the Commonwealth of Puerto Rico,  
4 4 Guam, American Samoa, the Northern Mariana Islands, the United  
4 5 States Virgin Islands, or a federally recognized Indian tribe.

4 6 17. "Loiter" means remaining in a place or circulating  
4 7 around a place under circumstances that would warrant a  
4 8 reasonable person to believe that the purpose or effect of the

4 9 behavior is to enable a sex offender to become familiar with a  
4 10 location where a potential victim may be found, or to satisfy  
4 11 an unlawful sexual desire, or to locate, lure, or harass a  
4 12 potential victim.

4 13 18. "Military offense" means a sex offense specified by  
4 14 the secretary of defense under 10 U.S.C. } 951.

4 15 19. "Minor" means a person under eighteen years of age.

4 16 20. "Principal residence" for a sex offender means:

4 17 a. The residence of the offender, if the offender has only  
4 18 one residence in this state.

4 19 b. The residence at which the offender resides, sleeps, or  
4 20 habitually lives for more days per year than another residence  
4 21 in this state, if the offender has more than one residence in  
4 22 this state.

4 23 c. The place of employment or attendance as a student, or  
4 24 both, if the sex offender does not have a residence in this  
4 25 state.

4 26 21. "Professional licensing information" means the name or  
4 27 other description, number, if applicable, and issuing  
4 28 authority or agency of any license, certification, or  
4 29 registration required by law to engage in a profession or  
4 30 occupation held by a sex offender who is required at the time  
4 31 of the initial requirement to register under this chapter, or  
4 32 any such license, certification, or registration that was  
4 33 issued to an offender within the five-year period prior to  
4 34 conviction for a sex offense that requires registration under  
4 35 this chapter, or any such license, certification, or  
5 1 registration that is issued to an offender at any time during  
5 2 the duration of the registration requirement.

5 3 22. "Public library" means any library that receives  
5 4 financial support from a city or county pursuant to section  
5 5 256.69.

5 6 23. a. "Relevant information" means the following  
5 7 information with respect to a sex offender:

5 8 (1) Criminal history, including warrants, articles, status  
5 9 of parole, probation, or supervised release, date of arrest,  
5 10 date of conviction, and registration status.

5 11 (2) Date of birth.

5 12 (3) Passport and immigration documents.

5 13 (4) Government issued driver's license or identification  
5 14 card.

5 15 (5) DNA sample.

5 16 (6) Educational institutions attended as a student,  
5 17 including the name and address of such institutions.

5 18 (7) Employment information including name and address of  
5 19 employer.

5 20 (8) Fingerprints.

5 21 (9) Internet identifiers.

5 22 (10) Names, nicknames, aliases, or ethnic or tribal names,  
5 23 and if applicable, the real names of an offender protected  
5 24 under 18 U.S.C. } 3521.

5 25 (11) Palm prints.

5 26 (12) Photographs.

5 27 (13) Physical description, including scars, marks, or  
5 28 tattoos.

5 29 (14) Professional licensing information.

5 30 (15) Residence.

5 31 (16) Social security number.

5 32 (17) Telephone numbers, including any landline or wireless  
5 33 numbers.

5 34 (18) Temporary lodging information, including dates when  
5 35 residing in temporary lodging.

6 1 (19) Statutory citation and text of offense committed that  
6 2 requires registration under this chapter.

6 3 (20) Vehicle information for a vehicle owned or operated  
6 4 by an offender including license plate number, registration  
6 5 number, or other identifying number, vehicle description, and  
6 6 the permanent or frequent locations where the vehicle is  
6 7 parked, docked, or otherwise kept.

6 8 (21) The name, gender, and date of birth of each person  
6 9 residing in the residence.

6 10 b. "Relevant information" does not include relevant  
6 11 information in paragraph "a", subparagraphs (1) and (19), when  
6 12 a sex offender is required to provide relevant information  
6 13 pursuant to this chapter.

6 14 24. "Residence" means each dwelling or other place where a  
6 15 sex offender resides, sleeps, or habitually lives, or will  
6 16 reside, sleep, or habitually live, including a shelter or  
6 17 group home. If a sex offender does not reside, sleep, or  
6 18 habitually live in a fixed place, "residence" means a  
6 19 description of the locations where the offender is stationed  
6 20 regularly, including any mobile or transitory living quarters.  
6 21 "Residence" shall be construed to refer to the places where a  
6 22 sex offender resides, sleeps, habitually lives, or is  
6 23 stationed with regularity, regardless of whether the offender  
6 24 declares or characterizes such place as the residence of the  
6 25 offender.

6 26 25. "Sex act" means as defined in section 702.17.

6 27 26. "Sex offender" means a person who is required to be  
6 28 registered under this chapter.

6 29 27. "Sex offense" means an indictable offense for which a  
6 30 conviction has been entered that has an element involving a  
6 31 sexual act, sexual contact, or sexual conduct, and which is  
6 32 enumerated in section 692A.102, and means any comparable  
6 33 offense for which a conviction has been entered under prior  
6 34 law, or any comparable offense for which a conviction has been  
6 35 entered in a federal, military, or foreign court, or another  
7 1 jurisdiction.

7 2 28. "Sex offense against a minor" means an offense for  
7 3 which a conviction has been entered for a sex offense  
7 4 classified as a tier I, tier II, or tier III offense under  
7 5 this chapter if such offense was committed against a minor, or  
7 6 otherwise involves a minor.

7 7 29. "Sexually violent offense" means an offense for which  
7 8 a conviction has been entered for any of the following  
7 9 indictable offenses:

7 10 a. Sexual abuse as defined under section 709.1.

7 11 b. Assault with intent to commit sexual abuse in violation  
7 12 of section 709.11.

7 13 c. Sexual misconduct with offenders and juveniles in  
7 14 violation of section 709.16.

7 15 d. Any of the following offenses, if the offense involves  
7 16 sexual abuse or assault with intent to commit sexual abuse:  
7 17 murder, attempted murder, kidnapping, burglary, or  
7 18 manslaughter.

7 19 e. A criminal offense committed in another jurisdiction,  
7 20 including a conviction in a federal, military, or foreign  
7 21 court, which would constitute an indictable offense under  
7 22 paragraphs "a" through "d" if committed in this state.

7 23 30. "Sexually violent predator" means a sex offender who

7 24 has been convicted of an offense which would qualify the  
7 25 offender as a sexually violent predator under the federal  
7 26 Violent Crime Control and Law Enforcement Act of 1994, 42  
7 27 U.S.C. } 14071(a)(3)(B), (C), (D), and (E).

7 28 31. "SORNA" means the Sex Offender Registration and  
7 29 Notification Act, which is Title I of the federal Adam Walsh  
7 30 Child Protection and Safety Act of 2006.

7 31 32. "Student" means a sex offender who enrolls in or  
7 32 otherwise receives instruction at an educational institution,  
7 33 including a public or private elementary school, secondary  
7 34 school, trade or professional school, or institution of higher  
7 35 education. "Student" does not mean a sex offender who enrolls  
8 1 in or attends an educational institution as a correspondence  
8 2 student, distance learning student, or any other form of  
8 3 learning that occurs without physical presence on the real  
8 4 property of an educational institution.

8 5 33. "Superintendent" means the superintendent or  
8 6 superintendent's designee of a public school or the  
8 7 authorities in charge of a nonpublic school.

8 8 34. "Vehicle" means a vehicle owned or operated by an  
8 9 offender, including but not limited to a vehicle for personal  
8 10 or work-related use, and including a watercraft or aircraft,  
8 11 that is subject to registration requirements under chapter  
8 12 321, 328, or 462A.

8 13 Sec. 2. NEW SECTION. 692A.102 SEX OFFENSE  
8 14 CLASSIFICATIONS.

8 15 1. For purposes of this chapter, all individuals required  
8 16 to register shall be classified as a tier I, tier II, or tier  
8 17 III offender. For purposes of this chapter, sex offenses are  
8 18 classified into the following tiers:

8 19 a. Tier I offenses include a conviction for the following  
8 20 sex offenses:

8 21 (1) Sexual abuse in the second degree in violation of  
8 22 section 709.3, subsection 2, if committed by a person under  
8 23 the age of fourteen.

8 24 (2) Sexual abuse in the third degree in violation of  
8 25 section 709.4, subsection 1, 3, or 4, if committed by a person  
8 26 under the age of fourteen.

8 27 (3) Sexual abuse in the third degree in violation of  
8 28 section 709.4, subsection 2, paragraph "a" or "b", if  
8 29 committed by a person under the age of fourteen.

8 30 (4) Sexual abuse in the third degree in violation of  
8 31 section 709.4, subsection 2, paragraph "c".

8 32 (5) Indecent exposure in violation of section 709.9.

8 33 (6) Harassment in violation of section 708.7, subsection  
8 34 1, 2, or 3, if a determination is made that the offense was  
8 35 sexually motivated pursuant to section 692A.126.

9 1 (7) Stalking in violation of section 708.11, except a  
9 2 violation of subsection 3, paragraph "b", subparagraph (3), if  
9 3 a determination is made that the offense was sexually  
9 4 motivated pursuant to section 692A.126.

9 5 (8) (a) Dissemination or exhibition of obscene material  
9 6 to minors in violation of section 728.2 or telephone  
9 7 dissemination of obscene material to minors in violation of  
9 8 728.15.

9 9 (b) Rental or sale of hard-core pornography, if delivery  
9 10 is to a minor, in violation of section 728.4.

9 11 (9) Admitting minors to premises where obscene material is  
9 12 exhibited in violation of section 728.3.

9 13 (10) Receipt or possession of child pornography in

9 14 violation of 18 U.S.C. } 2252.

9 15 (11) Material containing child pornography in violation of  
9 16 18 U.S.C. } 2252A.

9 17 (12) Misleading domain names on the internet in violation  
9 18 of 18 U.S.C. } 2252B.

9 19 (13) Misleading words or digital images on the internet in  
9 20 violation of section 18 U.S.C. } 2252C.

9 21 (14) Failure to file a factual statement about an alien  
9 22 individual in violation of 18 U.S.C. } 2424.

9 23 (15) Transmitting information about a minor to further  
9 24 criminal sexual conduct in violation of 18 U.S.C. } 2425.

9 25 (16) Any sex offense specified in the laws of another  
9 26 jurisdiction or any sex offense that may be prosecuted in  
9 27 federal, military, or foreign court, that is comparable to an  
9 28 offense listed in subparagraphs (1) through (15).

9 29 (17) Any sex offense under the prior laws of this state or  
9 30 another jurisdiction, or any sex offense under prior law that  
9 31 was prosecuted in a federal, military, or foreign court, that  
9 32 is comparable to an offense listed in subparagraphs (1)  
9 33 through (15).

9 34 b. Tier II offenses include a conviction for the following  
9 35 sex offenses:

10 1 (1) Detention in brothel in violation of section 709.7.

10 2 (2) Lascivious acts with a child in violation of section  
10 3 709.8, subsection 3 or 4.

10 4 (3) Solicitation of a minor to engage in an illegal sex  
10 5 act in violation of section 705.1.

10 6 (4) Solicitation of a minor to engage an illegal act under  
10 7 section 709.8, subsection 3, in violation of section 705.1.

10 8 (5) Solicitation of a minor to engage in an illegal act  
10 9 under section 709.12, in violation of section 705.1.

10 10 (6) False imprisonment of a minor in violation of section  
10 11 710.7, except if committed by a parent.

10 12 (7) Assault with intent to commit sexual abuse if no  
10 13 injury results in violation of section 709.11.

10 14 (8) Invasion of privacy=nudity in violation of section  
10 15 709.21.

10 16 (9) Stalking in violation of section 708.11, subsection 3,  
10 17 paragraph "b", subparagraph (3), if a determination is made  
10 18 that the offense was sexually motivated pursuant to section  
10 19 692A.126.

10 20 (10) Indecent contact with a child in violation of section  
10 21 709.12, if the child is thirteen years of age.

10 22 (11) Lascivious conduct with a minor in violation of  
10 23 section 709.14.

10 24 (12) Sexual exploitation by a counselor, therapist, or  
10 25 school employee in violation of section 709.15, if the victim  
10 26 is thirteen years of age or older.

10 27 (13) Sexual misconduct with offenders and juveniles in  
10 28 violation of section 709.16, if the victim is thirteen years  
10 29 of age or older.

10 30 (14) Kidnapping of a person who is not a minor in  
10 31 violation of section 710.2, 710.3, or 710.4, if a  
10 32 determination is made that the offense was sexually motivated  
10 33 pursuant to section 692A.126.

10 34 (15) Solicitation of a minor to engage in an illegal act  
10 35 under section 725.3, subsection 2, in violation of section  
11 1 705.1.

11 2 (16) Incest committed against a dependant adult as defined  
11 3 in section 235B.2 in violation of section 726.2.

11 4 (17) Incest committed against a minor in violation of  
11 5 section 726.2.

11 6 (18) Sexual exploitation of a minor in violation of  
11 7 section 728.12, subsection 2 or 3.

11 8 (19) Material involving the sexual exploitation of a minor  
11 9 in violation of 18 U.S.C. } 2252(a), except receipt or  
11 10 possession of child pornography.

11 11 (20) Production of sexually explicit depictions of a minor  
11 12 for import into the United States in violation of 18 U.S.C. }  
11 13 2260.

11 14 (21) Transportation of a minor for illegal sexual activity  
11 15 in violation of 18 U.S.C. } 2421.

11 16 (22) Coercion and enticement of a minor for illegal sexual  
11 17 activity in violation of 18 U.S.C. } 2422(a) or (b).

11 18 (23) Transportation of minors for illegal sexual activity  
11 19 in violation of 18 U.S.C. } 2423(a).

11 20 (24) Travel with the intent to engage in illegal sexual  
11 21 conduct with a minor in violation of 18 U.S.C. } 2423.

11 22 (25) Engaging in illicit sexual conduct in foreign places  
11 23 in violation of 18 U.S.C. } 2423(c).

11 24 (26) Video voyeurism of a minor in violation of 18 U.S.C.  
11 25 } 1801.

11 26 (27) Any sex offense specified in the laws of another  
11 27 jurisdiction or any offense that may be prosecuted in a  
11 28 federal, military, or foreign court, that is comparable to an  
11 29 offense listed in subparagraphs (1) through (26).

11 30 (28) Any sex offense under the prior laws of this state or  
11 31 another jurisdiction, or any sex offense under prior law that  
11 32 was prosecuted in a federal, military, or foreign court, that  
11 33 is comparable to a sex offense listed in subparagraphs (1)  
11 34 through (26).

11 35 c. Tier III offenses include a conviction for the  
12 1 following sex offenses:

12 2 (1) Murder in violation of section 707.2 or 707.3 if  
12 3 sexual abuse as defined in section 709.1 is committed during  
12 4 the commission of the offense.

12 5 (2) Murder in violation of section 707.2 or 707.3, if a  
12 6 determination is made that the offense was sexually motivated  
12 7 pursuant to section 692A.126.

12 8 (3) Voluntary manslaughter in violation of section 707.4,  
12 9 if a determination is made that the offense was sexually  
12 10 motivated pursuant to section 692A.126.

12 11 (4) Involuntary manslaughter in violation of section  
12 12 707.5, if a determination is made that the offense was  
12 13 sexually motivated pursuant to section 692A.126.

12 14 (5) Attempt to commit murder in violation of section  
12 15 707.11, if a determination is made that the offense was  
12 16 sexually motivated pursuant to section 692A.126.

12 17 (6) Sexual abuse in the first degree in violation of  
12 18 section 709.2.

12 19 (7) Sexual abuse in the second degree in violation of  
12 20 section 709.3, subsection 1 or 3.

12 21 (8) Sexual abuse in the second degree in violation of  
12 22 section 709.3, subsection 2, if committed by a person fourteen  
12 23 years of age or older.

12 24 (9) Sexual abuse in the third degree in violation of  
12 25 section 709.4, subsection 1, 3, or 4, if committed by a person  
12 26 fourteen years of age or older.

12 27 (10) Sexual abuse in the third degree in violation of  
12 28 section 709.4, subsection 2, paragraph "a" or "b", if

12 29 committed by a person fourteen years of age or older.  
12 30 (11) Lascivious acts with a child in violation of section  
12 31 709.8, subsection 1 or 2.  
12 32 (12) Kidnapping in violation of section 710.2 if sexual  
12 33 abuse as defined in section 709.1 is committed during the  
12 34 commission of the offense.  
12 35 (13) Kidnapping of a minor in violation of section 710.2,  
13 1 710.3, or 710.4, if a determination is made that the offense  
13 2 was sexually motivated pursuant to section 692A.126.  
13 3 (14) Assault with intent to commit sexual abuse resulting  
13 4 in serious or bodily injury in violation of section 709.11.  
13 5 (15) Burglary in the first degree in violation of section  
13 6 713.3, subsection 1, paragraph "d".  
13 7 (16) Any other burglary in the first degree offense in  
13 8 violation of section 713.3 that is not included in  
13 9 subparagraph (15), if a determination is made that the offense  
13 10 was sexually motivated pursuant to section 692A.126.  
13 11 (17) Attempted burglary in the first degree in violation  
13 12 of section 713.4, if a determination is made that the offense  
13 13 was sexually motivated pursuant to section 692A.126.  
13 14 (18) Burglary in the second degree in violation of section  
13 15 713.5, if a determination is made that the offense was  
13 16 sexually motivated pursuant to section 692A.126.  
13 17 (19) Attempted burglary in the second degree in violation  
13 18 of section 713.6, if a determination is made that the offense  
13 19 was sexually motivated pursuant to section 692A.126.  
13 20 (20) Burglary in the third degree in violation of section  
13 21 713.6A, if a determination is made that the offense was  
13 22 sexually motivated pursuant to section 692A.126.  
13 23 (21) Attempted burglary in the third degree in violation  
13 24 of section 713.6B, if a determination is made that the offense  
13 25 was sexually motivated pursuant to section 692A.126.  
13 26 (22) Criminal transmission of human immunodeficiency virus  
13 27 in violation of section 709C.1, subsection 1, paragraph "a".  
13 28 (23) Human trafficking in violation of section 710A.2 if  
13 29 sexual abuse or assault with intent to commit sexual abuse is  
13 30 committed or sexual conduct or sexual contact is an element of  
13 31 the offense.  
13 32 (24) Purchase or sale of an individual in violation of  
13 33 section 710.11 if a determination is made that the offense was  
13 34 sexually motivated pursuant to section 692A.126.  
13 35 (25) Sexual exploitation of a minor in violation of  
14 1 section 728.12, subsection 1.  
14 2 (26) Indecent contact with a child in violation of section  
14 3 709.12 if the child is under thirteen years of age.  
14 4 (27) Sexual exploitation by a counselor, therapist, or  
14 5 school employee in violation of section 709.15, if the child  
14 6 is under thirteen years of age.  
14 7 (28) Sexual misconduct with offenders and juveniles in  
14 8 violation of section 709.16, if the child is under thirteen  
14 9 years of age.  
14 10 (29) Child stealing in violation of section 710.5, if a  
14 11 determination is made that the offense was sexually motivated  
14 12 pursuant to section 692A.126.  
14 13 (30) Enticing away a minor in violation of section 710.10,  
14 14 if the violation includes an intent to commit sexual abuse,  
14 15 sexual exploitation, sexual contact, or sexual conduct  
14 16 directed towards a minor.  
14 17 (31) Sex trafficking of children in violation of 18 U.S.C.  
14 18 } 1591.



14 19 (32) Aggravated sexual abuse in violation of 18 U.S.C. }  
 14 20 2241.  
 14 21 (33) Sexual abuse in violation of 18 U.S.C. } 2242.  
 14 22 (34) Sexual abuse of a minor or ward in violation of 18  
 14 23 U.S.C. } 2243.  
 14 24 (35) Abusive sexual contact in violation of 18 U.S.C. }  
 14 25 2244.  
 14 26 (36) Offenses resulting in death in violation of 18 U.S.C.  
 14 27 } 2245.  
 14 28 (37) Sexual exploitation of children in violation of 18  
 14 29 U.S.C. } 2251.  
 14 30 (38) Selling or buying of children in violation of 18  
 14 31 U.S.C. } 2251A.  
 14 32 (39) Any sex offense specified in the laws of another  
 14 33 jurisdiction or any sex offense that may be prosecuted in  
 14 34 federal, military, or foreign court, that is comparable to an  
 14 35 offense listed in subparagraphs (1) through (38).  
 15 1 (40) Any sex offense under the prior laws of this state or  
 15 2 another jurisdiction, or any sex offense under prior law that  
 15 3 was prosecuted in federal, military, or foreign court, that is  
 15 4 comparable to a sex offense listed in subparagraphs (1)  
 15 5 through (38).  
 15 6 2. A sex offender classified as a tier I offender shall be  
 15 7 reclassified as a tier II offender, if it is determined the  
 15 8 offender has one previous conviction for an offense classified  
 15 9 as a tier I offense.  
 15 10 3. A sex offender classified as a tier II offender, shall  
 15 11 be reclassified as a tier III offender, if it is determined  
 15 12 the offender has a previous conviction for a tier II offense  
 15 13 or has been reclassified as a tier II offender because of a  
 15 14 previous conviction.  
 15 15 4. Notwithstanding the classifications of sex offenses in  
 15 16 subsection 1, any sex offense which would qualify a sex  
 15 17 offender as a sexually violent predator, shall be classified  
 15 18 as a tier III offense.  
 15 19 5. An offense classified as a tier II offense if committed  
 15 20 against a person under thirteen years of age, shall be  
 15 21 reclassified as a tier III offense.  
 15 22 6. Convictions of more than one sex offense which require  
 15 23 registration under this chapter but which are prosecuted  
 15 24 within a single indictment shall be considered as a single  
 15 25 offense for purposes of registration.  
 15 26 Sec. 3. NEW SECTION. 692A.103 OFFENDERS REQUIRED TO  
 15 27 REGISTER.  
 15 28 1. A person who has been convicted of any sex offense  
 15 29 classified as a tier I, tier II, or tier III offense, or an  
 15 30 offender required to register in another jurisdiction under  
 15 31 the other jurisdiction's sex offender registry, shall register  
 15 32 as a sex offender as provided in this chapter if the offender  
 15 33 resides, is employed, or attends school in this state. A sex  
 15 34 offender shall, upon a first or subsequent conviction,  
 15 35 register in compliance with the procedures specified in this  
 16 1 chapter, for the duration of time specified in this chapter,  
 16 2 commencing as follows:  
 16 3 a. From the date of placement on probation.  
 16 4 b. From the date of release on parole or work release.  
 16 5 c. From the date of release from incarceration.  
 16 6 d. Except as otherwise provided in this section, from the  
 16 7 date an adjudicated delinquent is released from placement in a  
 16 8 juvenile facility ordered by a court pursuant to section

16 9 232.52.

16 10 e. Except as otherwise provided in this section, from the  
16 11 date an adjudicated delinquent commences attendance as a  
16 12 student at a public or private educational institution, other  
16 13 than an educational institution located on the real property  
16 14 of a juvenile facility if the juvenile has been ordered placed  
16 15 at such facility pursuant to section 232.52.

16 16 f. From the date of conviction for a sex offense requiring  
16 17 registration if probation, incarceration, or placement ordered  
16 18 pursuant to section 232.52 in a juvenile facility is not  
16 19 included in the sentencing, order, or decree of the court,  
16 20 except as otherwise provided in this section for juvenile  
16 21 cases.

16 22 2. A sex offender is not required to register while  
16 23 incarcerated. However, the running of the period of  
16 24 registration is tolled pursuant to section 692A.107 if a sex  
16 25 offender is incarcerated.

16 26 3. A juvenile adjudicated delinquent for an offense that  
16 27 requires registration shall be required to register as  
16 28 required in this chapter unless the juvenile court waives the  
16 29 requirement and finds that the person should not be required  
16 30 to register under this chapter.

16 31 4. Notwithstanding subsections 3 and 5, a juvenile  
16 32 fourteen years of age or older at the time the offense was  
16 33 committed shall be required to register if the adjudication  
16 34 was for an offense committed by force or the threat of serious  
16 35 violence, by rendering the victim unconscious, or by  
17 1 involuntary drugging of the victim. At the time of  
17 2 adjudication the judge shall make a determination as to  
17 3 whether the offense was committed by force or the threat of  
17 4 serious violence, by rendering the victim unconscious, or by  
17 5 involuntary drugging of the victim.

17 6 5. If a juvenile is required to register pursuant to  
17 7 subsection 3, the juvenile court may, upon motion of the  
17 8 juvenile, and after reasonable notice to the parties and  
17 9 hearing, modify or suspend the registration requirements if  
17 10 good cause is shown.

17 11 a. The motion to modify or suspend shall be made and the  
17 12 hearing shall occur prior to the discharge of the juvenile  
17 13 from the jurisdiction of the juvenile court for the sex  
17 14 offense that requires registration.

17 15 b. If at the time of the hearing the juvenile is  
17 16 participating in an appropriate outpatient treatment program  
17 17 for juvenile sex offenders, the juvenile court may enter  
17 18 orders temporarily suspending the requirement that the  
17 19 juvenile register and may defer entry of a final order on the  
17 20 matter until such time that the juvenile has completed or been  
17 21 discharged from the outpatient treatment program.

17 22 c. Final orders shall then be entered within thirty days  
17 23 from the date of the juvenile's completion or discharge from  
17 24 outpatient treatment.

17 25 d. Any order entered pursuant to this subsection that  
17 26 modifies or suspends the requirement to register shall include  
17 27 written findings stating the reason for the modification or  
17 28 suspension, and shall include appropriate restrictions upon  
17 29 the juvenile to protect the public during any period of time  
17 30 the registry requirements are modified or suspended. Upon  
17 31 entry of an order modifying or suspending the requirement to  
17 32 register, the juvenile court shall notify the superintendent  
17 33 or the superintendent's designee where the juvenile is

17 34 enrolled of the decision.

17 35 e. This subsection does not apply to a juvenile fourteen  
18 1 years of age or older at the time the offense was committed if  
18 2 the adjudication was for a sex offense committed by force or  
18 3 the threat of serious violence, by rendering the victim  
18 4 unconscious, or by involuntary drugging of the victim.

18 5 6. If a juvenile is required to register and the court  
18 6 later modifies or suspends the order regarding the requirement  
18 7 to register, the court shall notify the department within five  
18 8 days of the decision.

18 9 Sec. 4. NEW SECTION. 692A.104 REGISTRATION PROCESS.

18 10 1. A sex offender shall appear in person to register with  
18 11 the sheriff of each county where the offender has a residence,  
18 12 maintains employment, or is in attendance as a student, within  
18 13 five business days of being required to register under section  
18 14 692A.103 by providing all relevant information to the sheriff.  
18 15 A sheriff shall accept the registration of any person who is  
18 16 required to register in the county pursuant to the provisions  
18 17 of this chapter.

18 18 2. A sex offender shall, within five business days of  
18 19 changing a residence, employment, or attendance as a student,  
18 20 appear in person to notify the sheriff of each county where a  
18 21 change has occurred.

18 22 3. A sex offender shall, within five business days of a  
18 23 change in relevant information other than relevant information  
18 24 enumerated in subsection 2, notify the sheriff of the county  
18 25 where the principal residence of the offender is maintained  
18 26 about the change to the relevant information. The department  
18 27 shall establish by rule what constitutes proper notification  
18 28 under this subsection.

18 29 4. A sex offender who is required to verify information  
18 30 pursuant to the provisions of section 692A.108 is only  
18 31 required to appear in person in the county where the principal  
18 32 residence of the offender is maintained to verify such  
18 33 information.

18 34 5. A sex offender shall, within five business days of the  
18 35 establishment of a residence, employment, or attendance as a  
19 1 student in another jurisdiction, appear in person to notify  
19 2 the sheriff of the county where the principal residence of the  
19 3 offender is maintained, about the establishment of a  
19 4 residence, employment, or attendance in another jurisdiction.  
19 5 A sex offender shall, within five business days of  
19 6 establishing a new residence, employment, or attendance as a  
19 7 student in another jurisdiction, register with the registering  
19 8 agency of the other jurisdiction, if the offender is required  
19 9 to register under the laws of the other jurisdiction. The  
19 10 department shall notify the registering agency in the other  
19 11 jurisdiction of the sex offender's new residence, employment,  
19 12 or attendance as a student in the other jurisdiction.

19 13 6. A sex offender, who has multiple residences in this  
19 14 state, shall appear in person to notify the sheriff of each  
19 15 county where a residence is maintained, of the dates the  
19 16 offender will reside at each residence including the date when  
19 17 the offender will move from one residence to another  
19 18 residence.

19 19 7. Except as provided in subsection 8, the initial or  
19 20 subsequent registration and any notifications required in  
19 21 subsections 1, 2, 4, 5, and 6 shall be by appearance at the  
19 22 sheriff's office and completion of the initial or subsequent  
19 23 registration or notification shall be on a printed form, which

19 24 shall be signed and dated by the sex offender. If the sheriff  
19 25 uses an electronic form to complete the initial registration  
19 26 or notification, the electronic form shall be printed upon  
19 27 completion and signed and dated by the sex offender. The  
19 28 sheriff shall transmit the registration or notification form  
19 29 completed by the sex offender within five business days by  
19 30 paper copy, or electronically, using procedures established by  
19 31 the department by rule.

19 32 8. The collection of relevant information by a court or  
19 33 releasing agency under section 692A.109 shall serve as the sex  
19 34 offender's initial or subsequent registration for purposes of  
19 35 this section. However, the sex offender shall register by  
20 1 appearing in person in the county of residence to verify the  
20 2 offender's arrival and relevant information. The court or  
20 3 releasing agency shall forward a copy of the registration to  
20 4 the department within five business days of completion of  
20 5 registration using procedures established by the department by  
20 6 rule.

20 7 Sec. 5. NEW SECTION. 692A.105 ADDITIONAL REGISTRATION  
20 8 REQUIREMENTS == TEMPORARY LODGING.

20 9 In addition to the registration provisions specified in  
20 10 section 692A.104, a sex offender, within five business days of  
20 11 a change, shall also appear in person to notify the sheriff of  
20 12 the county of principal residence, of any location in which  
20 13 the offender is staying when away from the principal residence  
20 14 of the offender for more than five days, by identifying the  
20 15 location and the period of time the offender is staying in  
20 16 such location.

20 17 Sec. 6. NEW SECTION. 692A.106 DURATION OF REGISTRATION.

20 18 1. Except as otherwise provided in section 232.54,  
20 19 692A.103, or 692A.128, or this section, the duration of  
20 20 registration required under this chapter shall be for a period  
20 21 of ten years. The registration period shall begin as provided  
20 22 in section 692A.103.

20 23 2. A sex offender who has been sentenced to a special  
20 24 sentence under section 903B.1 or 903B.2, shall be required to  
20 25 register for a period equal to the term of the special  
20 26 sentence, but in no case not less than the period specified in  
20 27 subsection 1.

20 28 3. A sex offender who is convicted of violating any of the  
20 29 requirements of this chapter shall register for an additional  
20 30 ten years, commencing from the date the offender's  
20 31 registration would have expired under subsection 1 or, in the  
20 32 case of an offender who has been sentenced to a special  
20 33 sentence under section 903B.1 or 903B.2, commencing from the  
20 34 date the offender's registration would have expired under  
20 35 subsection 2.

21 1 4. A sex offender shall, upon a second or subsequent  
21 2 conviction that requires a second registration, or upon  
21 3 conviction of an aggravated offense, or who has previously  
21 4 been convicted of one or more offenses that would have  
21 5 required registration under this chapter, register for life.

21 6 5. A sexually violent predator shall register for life.

21 7 6. If a sex offender ceases to maintain a residence,  
21 8 employment, or attendance as a student in this state, the  
21 9 offender shall no longer be required to register, and the  
21 10 offender shall be placed on inactive status and relevant  
21 11 information shall not be placed on the sex offender registry  
21 12 internet site, after the department verifies that the offender  
21 13 has complied with the registration requirements in another

21 14 jurisdiction. If the sex offender subsequently reestablishes  
21 15 residence, employment, or attendance as a student in this  
21 16 state, the registration requirement under this chapter shall  
21 17 apply and the department shall remove the offender from  
21 18 inactive status and place any relevant information and any  
21 19 updated relevant information in the possession of the  
21 20 department on the sex offender registry internet site.

21 21 Sec. 7. NEW SECTION. 692A.107 TOLLING OF REGISTRATION  
21 22 PERIOD.

21 23 1. If a sex offender is incarcerated during a period of  
21 24 registration, the running of the period of registration is  
21 25 tolled until the offender is released from incarceration for  
21 26 that crime.

21 27 2. If a sex offender violates any requirements of section  
21 28 692A.104, 692A.105, 692A.108, 692A.112, 692A.113, 692A.114, or  
21 29 692A.115, in addition to any criminal penalty prescribed for  
21 30 such violation, the period of registration is tolled until the  
21 31 offender complies with the registration provisions of this  
21 32 chapter.

21 33 Sec. 8. NEW SECTION. 692A.108 VERIFICATION OF RELEVANT  
21 34 INFORMATION.

21 35 1. A sex offender shall appear in person in the county of  
22 1 principal residence after the offender was initially required  
22 2 to register, to verify residence, employment, and attendance  
22 3 as a student, to allow the sheriff to photograph the offender,  
22 4 and to verify the accuracy of other relevant information  
22 5 during the following time periods after the initial  
22 6 registration:

22 7 a. For a sex offender classified as a tier I offender,  
22 8 every year.

22 9 b. For a sex offender classified as a tier II offender,  
22 10 every six months.

22 11 c. For a sex offender classified as a tier III offender,  
22 12 every three months.

22 13 2. A sheriff may require a sex offender to appear in  
22 14 person more frequently than provided in subsection 1 to verify  
22 15 relevant information if good cause is shown. The  
22 16 circumstances under which more frequent appearances are  
22 17 required shall be reasonable, documented by the sheriff, and  
22 18 provided to the offender and the department in writing. Any  
22 19 modification to such requirement shall also be provided to the  
22 20 sex offender and the department in writing.

22 21 3. a. At least thirty days prior to an appearance for the  
22 22 verification of relevant information as required by this  
22 23 section, the department shall mail notification of the  
22 24 required appearance to each reported residence of the sex  
22 25 offender. The department shall not be required to mail  
22 26 notification to any sex offender if the residence described or  
22 27 listed in the sex offender's relevant information is  
22 28 insufficient for the delivery of mail.

22 29 b. The notice shall state that the sex offender shall  
22 30 appear in person in the county of principal residence on or  
22 31 before a date specified in the notice to verify and update  
22 32 relevant information. The notice shall not be forwarded to  
22 33 another address and shall be returned to the department if the  
22 34 sex offender no longer resides at the address.

22 35 4. A photograph of the sex offender shall be updated, at a  
23 1 minimum, annually. The sheriff shall send the updated  
23 2 photograph to the department using procedures established by  
23 3 the department by rule within five business days of the

23 4 photograph being taken and the department shall post the  
23 5 updated photograph on the sex offender registry's internet  
23 6 site. The sheriff may require the sex offender to submit to  
23 7 being photographed, fingerprinted, or palm printed, more than  
23 8 once per year during any required appearance to verify  
23 9 relevant information.

23 10 5. The sheriff may make a reasonable modification to the  
23 11 date requiring a sex offender to make an appearance based on  
23 12 exigent circumstances including man-made or natural disasters.  
23 13 The sheriff shall notify the department of any modification  
23 14 using procedures established by department by rule.

23 15 6. A waiver of the next immediate in-person verification  
23 16 pursuant to this section may be granted at the discretion of  
23 17 the sheriff, if the sex offender appears in person at the  
23 18 sheriff's office because of changes to relevant information  
23 19 pursuant to section 692A.104 or 692A.105, and if the in-person  
23 20 verification pursuant to this section is within thirty days of  
23 21 such in-person appearance. If a waiver is granted, the  
23 22 sheriff shall notify the department of granting the waiver.

23 23 Sec. 9. NEW SECTION. 692A.109 DUTY TO FACILITATE  
23 24 REGISTRATION.

23 25 1. When a sex offender is released from incarceration from  
23 26 a jail, prison, juvenile facility, or other correctional  
23 27 institution or facility, or when the offender is convicted but  
23 28 not incarcerated, the sheriff, warden, or superintendent of a  
23 29 facility or, in the case of release from foster care or  
23 30 residential treatment or conviction without incarceration, the  
23 31 court shall do the following prior to release or sentencing of  
23 32 the convicted offender:

23 33 a. Obtain all relevant information from the sex offender.  
23 34 Additional information for a sex offender required to register  
23 35 as a sexually violent predator shall include but not be  
24 1 limited to other identifying factors, anticipated future  
24 2 places of residence, offense history, and documentation of any  
24 3 treatment received by the person for a mental abnormality or  
24 4 personality disorder.

24 5 b. Inform the sex offender of the duty to register under  
24 6 this chapter and SORNA and ensure registration forms are  
24 7 completed and signed.

24 8 c. Inform the sex offender that, within five business days  
24 9 of changing a residence, employment, attendance as a student,  
24 10 an appearance is required before the sheriff in the county  
24 11 where the change occurred.

24 12 d. Inform the sex offender that, within five business days  
24 13 of a change in relevant information other than a change of  
24 14 residence, employment, or attendance as a student, the sex  
24 15 offender shall notify, in a manner prescribed by rule, the  
24 16 sheriff of the county of principal residence of the change.

24 17 e. Inform the sex offender that if the offender  
24 18 establishes residence in another jurisdiction, or becomes  
24 19 employed, or becomes a student in another jurisdiction, the  
24 20 offender must report the offender's new residence, employment,  
24 21 or attendance as a student, to the sheriff's office in the  
24 22 county of the offender's principal residence within five  
24 23 business days, and that, if the other jurisdiction has a  
24 24 registration requirement, the offender shall also be required  
24 25 to register in such jurisdiction.

24 26 f. Require the sex offender to read and sign a form  
24 27 stating that the duty of the offender to register under this  
24 28 chapter has been explained and the offender understands the

24 29 registration requirement. If the sex offender cannot read, is  
24 30 unable to write, or refuses to cooperate, the duty and the  
24 31 form shall be explained orally and a written record shall be  
24 32 maintained by the sheriff, warden, superintendent of a  
24 33 facility, or court explaining the duty and the form.

24 34 g. Inform the sex offender who was convicted of a sex  
24 35 offense against a minor of the prohibitions established under  
25 1 section 692A.113 by providing the offender with a written copy  
25 2 of section 692A.113 and relevant definitions of section  
25 3 692A.101.

25 4 h. Inform the sex offender who was convicted of an  
25 5 aggravated offense against a minor of the prohibitions  
25 6 established under section 692A.114 by providing the offender  
25 7 with a written copy of section 692A.114 and relevant  
25 8 definitions of section 692A.101.

25 9 i. Inform the sex offender that the offender must submit  
25 10 to being photographed by the sheriff of any county in which  
25 11 the offender is required to register upon initial registration  
25 12 and during any appearance to verify relevant information  
25 13 required under this chapter.

25 14 j. Inform the sex offender that any violation of this  
25 15 chapter may result in state or federal prosecution.

25 16 2. a. When a sex offender is released from incarceration  
25 17 from a jail, prison, juvenile facility, or other correctional  
25 18 institution or facility, or when the offender is convicted but  
25 19 not incarcerated, the sheriff, warden, superintendent of a  
25 20 facility, or court shall verify that the person has completed  
25 21 initial or subsequent registration forms, and accept the forms  
25 22 on behalf of the sheriff of the county of registration. The  
25 23 sheriff, warden, superintendent of a facility, or the court  
25 24 shall send the initial or subsequent registration information  
25 25 to the department within five business days of completion of  
25 26 the registration. Probation, parole, work release, or any  
25 27 other form of release after conviction shall not be granted  
25 28 unless the offender has registered as required under this  
25 29 chapter.

25 30 b. If the sex offender refuses to register, the sheriff,  
25 31 warden, superintendent of a facility, or court shall notify  
25 32 within five business days the county attorney in the county in  
25 33 which the offender was convicted or, if the offender no longer  
25 34 resides in that county, in the county in which the offender  
25 35 resides of the refusal to register. The county attorney shall  
26 1 bring a contempt of court action against the sex offender in  
26 2 the county in which the offender was convicted or, if the  
26 3 offender no longer resides in that county, in the county in  
26 4 which the offender resides. A sex offender who refuses to  
26 5 register shall be held in contempt and may be incarcerated  
26 6 pursuant to the provisions of chapter 665 following the entry  
26 7 of judgment by the court on the contempt action until the  
26 8 offender complies with the registration requirements.

26 9 3. The sheriff, warden, or superintendent of a facility,  
26 10 or if the sex offender is placed on probation, the court shall  
26 11 forward one copy of the registration information to the  
26 12 department and to the sheriff of the county in which the  
26 13 principal residence is established within five business days  
26 14 after completion of the registration.

26 15 4. The court may order an appropriate law enforcement  
26 16 agency or the county attorney to assist the court in  
26 17 performing the requirements of subsection 1 or 2.

26 18 Sec. 10. NEW SECTION. 692A.110 REGISTRATION FEES AND

26 19 CIVIL PENALTY FOR OFFENDERS.

26 20 1. A sex offender shall pay an annual fee in the amount of  
26 21 twenty-five dollars to the sheriff of the county of principal  
26 22 residence, beginning with the first required in-person  
26 23 appearance at the sheriff's office after the effective date of  
26 24 this Act. If the sex offender has more than one principal  
26 25 residence in this state, the offender shall pay the annual fee  
26 26 in the county where the offender is first required to appear  
26 27 in person after the effective date of this Act. The sheriff  
26 28 shall accept the registration. If, at the time of  
26 29 registration, the sex offender is unable to pay the fee, the  
26 30 sheriff may allow the offender time to pay the fee, permit the  
26 31 payment of the fee in installments, or may waive payment of  
26 32 the fee. Fees paid to the sheriff shall be used to defray the  
26 33 costs of duties related to the registration of sex offenders  
26 34 under this chapter.

26 35 2. In addition to any other penalty, at the time of  
27 1 conviction for a public offense committed on or after July 1,  
27 2 1995, which requires a sex offender to register under this  
27 3 chapter, the offender shall be assessed a civil penalty of two  
27 4 hundred dollars, to be payable to the clerk of the district  
27 5 court as provided in section 602.8105 and distributed as  
27 6 provided in section 602.8108. With respect to a conviction  
27 7 for a public offense committed on or after July 1, 2009, which  
27 8 requires a sex offender to register under this chapter, the  
27 9 offender shall be assessed a civil penalty of two hundred  
27 10 fifty dollars, payable to the clerk of the district court as  
27 11 provided in section 602.8105 and distributed as provided in  
27 12 section 602.8108.

27 13 3. The fee and penalty required by this section shall not  
27 14 be assessed against a person who has been acquitted by reason  
27 15 of insanity of the offense which requires registration under  
27 16 this chapter.

27 17 Sec. 11. NEW SECTION. 692A.111 FAILURE TO COMPLY ==  
27 18 PENALTY.

27 19 1. A sex offender who violates any requirements of section  
27 20 692A.104, 692A.105, 692A.108, 692A.112, 692A.113, 692A.114, or  
27 21 692A.115 commits an aggravated misdemeanor for a first offense  
27 22 and a class "D" felony for a second or subsequent offense.  
27 23 However, a sex offender convicted of an aggravated offense  
27 24 against a minor, a sex offense against a minor, or a sexually  
27 25 violent offense committed while in violation of any of the  
27 26 requirements specified in section 692A.104, 692A.105,  
27 27 692A.108, 692A.112, 692A.113, 692A.114, or 692A.115 is guilty  
27 28 of a class "C" felony, in addition to any other penalty  
27 29 provided by law. Any fine imposed for a second or subsequent  
27 30 violation shall not be suspended. Notwithstanding section  
27 31 907.3, the court shall not defer judgment or sentence for any  
27 32 violation of any requirements specified in this chapter. For  
27 33 purposes of this subsection, a violation occurs when a sex  
27 34 offender knows or reasonably should know of the duty to  
27 35 fulfill a requirement specified in this chapter as referenced  
28 1 in the offense charged.

28 2 2. Violations in any other jurisdiction under sex offender  
28 3 registry provisions that are substantially similar to those  
28 4 contained in this section shall be counted as previous  
28 5 offenses. The court shall judicially notice the statutes of  
28 6 other states which are substantially similar to this section.

28 7 3. A sex offender who violates any provision of this  
28 8 chapter may be prosecuted in any county where registration is



28 9 required by the provisions of this chapter.

28 10 Sec. 12. NEW SECTION. 692A.112 KNOWINGLY PROVIDING FALSE  
28 11 INFORMATION == PENALTY.

28 12 A sex offender shall not knowingly provide false  
28 13 information upon registration, change of relevant information,  
28 14 or during an appearance to verify relevant information.

28 15 Sec. 13. NEW SECTION. 692A.113 EXCLUSION ZONES AND  
28 16 PROHIBITION OF CERTAIN EMPLOYMENT=RELATED ACTIVITIES.

28 17 1. A sex offender who has been convicted of a sex offense  
28 18 against a minor shall not do any of the following:

28 19 a. Be present upon the real property of a public or  
28 20 nonpublic elementary or secondary school without the written  
28 21 permission of the school administrator or school  
28 22 administrator's designee, unless enrolled as a student at the  
28 23 school.

28 24 b. Loiter within three hundred feet of the real property  
28 25 boundary of a public or nonpublic elementary or secondary  
28 26 school, unless enrolled as a student at the school.

28 27 c. Be present on or in any vehicle or other conveyance  
28 28 owned, leased, or contracted by a public or nonpublic  
28 29 elementary or secondary school without the written permission  
28 30 of the school administrator or school administrator's designee  
28 31 when the vehicle is in use to transport students to or from a  
28 32 school or school-related activities, unless enrolled as a  
28 33 student at the school or unless the vehicle is simultaneously  
28 34 made available to the public as a form of public  
28 35 transportation.

29 1 d. Be present upon the real property of a child care  
29 2 facility without the written permission of the child care  
29 3 facility administrator.

29 4 e. Loiter within three hundred feet of the real property  
29 5 boundary of a child care facility.

29 6 f. Be present upon the real property of a public library  
29 7 without the written permission of the library administrator.

29 8 g. Loiter within three hundred feet of the real property  
29 9 boundary of a public library.

29 10 h. Loiter on or within three hundred feet of the premises  
29 11 of any place intended primarily for the use of minors  
29 12 including but not limited to a playground available to the  
29 13 public, a children's play area available to the public,  
29 14 recreational or sport-related activity area when in use by a  
29 15 minor, a swimming or wading pool available to the public when  
29 16 in use by a minor, or a beach available to the public when in  
29 17 use by a minor.

29 18 2. A sex offender who has been convicted of a sex offense  
29 19 against a minor:

29 20 a. Who resides in a dwelling located within three hundred  
29 21 feet of the real property boundary of public or nonpublic  
29 22 elementary or secondary school, child care facility, public  
29 23 library, or place intended primarily for the use of minors as  
29 24 specified in subsection 1, paragraph "h", shall not be in  
29 25 violation of subsection 1 for having an established residence  
29 26 within the exclusion zone.

29 27 b. Who is the parent or legal guardian of a minor shall  
29 28 not be in violation of subsection 1 solely during the period  
29 29 of time reasonably necessary to transport the offender's own  
29 30 minor child or ward to or from a place specified in subsection  
29 31 1.

29 32 c. Who is legally entitled to vote shall not be in  
29 33 violation of subsection 1 solely for the period of time

29 34 reasonably necessary to exercise the right to vote in a public  
29 35 election if the polling location of the offender is located in  
30 1 a place specified in subsection 1.

30 2 3. A sex offender who has been convicted of a sex offense  
30 3 against a minor shall not do any of the following:

30 4 a. Operate, manage, be employed by, or act as a contractor  
30 5 or volunteer at any municipal, county, or state fair or  
30 6 carnival when a minor is present on the premises.

30 7 b. Operate, manage, be employed by, or act as a contractor  
30 8 or volunteer on the premises of any children's arcade, an  
30 9 amusement center having coin or token operated devices for  
30 10 entertainment, or facilities providing programs or services  
30 11 intended primarily for minors, when a minor is present.

30 12 c. Operate, manage, be employed by, or act as a contractor  
30 13 or volunteer at a public or nonpublic elementary or secondary  
30 14 school, child care facility, or public library.

30 15 d. Operate, manage, be employed by, or act as a contractor  
30 16 or volunteer at any place intended primarily for use by minors  
30 17 including but not limited to a playground, a children's play  
30 18 area, recreational or sport-related activity area, a swimming  
30 19 or wading pool, or a beach.

30 20 Sec. 14. NEW SECTION. 692A.114 RESIDENCY RESTRICTIONS ==  
30 21 PRESENCE == CHILD CARE FACILITIES AND SCHOOLS.

30 22 1. As used in this section:

30 23 a. "Minor" means a person who is under eighteen years of  
30 24 age or who is enrolled in a secondary school.

30 25 b. "School" means a public or nonpublic elementary or  
30 26 secondary school.

30 27 c. "Sex offender" means a person required to be registered  
30 28 under this chapter who has been convicted of an aggravated  
30 29 offense against a minor.

30 30 2. A sex offender shall not reside within two thousand  
30 31 feet of the real property comprising a school or a child care  
30 32 facility.

30 33 3. A sex offender residing within two thousand feet of the  
30 34 real property comprising a school or a child care facility  
30 35 does not commit a violation of this section if any of the  
31 1 following apply:

31 2 a. The sex offender is required to serve a sentence at a  
31 3 jail, prison, juvenile facility, or other correctional  
31 4 institution or facility.

31 5 b. The sex offender is subject to an order of commitment  
31 6 under chapter 229A.

31 7 c. The sex offender has established a residence prior to  
31 8 July 1, 2002.

31 9 d. The sex offender has established a residence prior to  
31 10 any newly located school or child care facility being  
31 11 established.

31 12 e. The sex offender is a minor.

31 13 f. The sex offender is a ward in a guardianship, and a  
31 14 district judge or associate probate judge grants an exemption  
31 15 from the residency restriction.

31 16 g. The sex offender is a patient or resident at a health  
31 17 care facility as defined in section 135C.1 or a patient in a  
31 18 hospice program, and a district judge or associate probate  
31 19 judge grants an exemption from the residency restriction.

31 20 Sec. 15. NEW SECTION. 692A.115 EMPLOYMENT WHERE  
31 21 DEPENDENT ADULTS RESIDE.

31 22 A sex offender shall not be an employee of a facility  
31 23 providing services for dependent adults or at events where

31 24 dependent adults participate in programming and shall not  
31 25 loiter on the premises or grounds of a facility or at an event  
31 26 providing such services or programming.

31 27 Sec. 16. NEW SECTION. 692A.116 DETERMINATION OF  
31 28 REQUIREMENT TO REGISTER.

31 29 1. An offender may request that the department determine  
31 30 whether the offense for which the offender has been convicted  
31 31 requires the offender to register under this chapter or  
31 32 whether the period of time during which the offender is  
31 33 required to register under this chapter has expired.

31 34 2. Application for determination shall be filed with the  
31 35 department and shall be made on forms provided by the  
32 1 department and accompanied by copies of sentencing or  
32 2 adjudicatory orders with respect to each offense for which the  
32 3 offender asks that a determination be made.

32 4 3. The department, after filing of the request and after  
32 5 all documentation or information requested by the department  
32 6 is received, shall have ninety days from the filing of the  
32 7 request, to determine whether the offender is required to  
32 8 register under this chapter.

32 9 Sec. 17. NEW SECTION. 692A.117 REGISTRATION FORMS AND  
32 10 ELECTRONIC REGISTRATION SYSTEM.

32 11 1. Registration forms and an electronic registration  
32 12 system shall be made available by the department.

32 13 2. Copies of blank forms shall be available upon request  
32 14 to any registering agency.

32 15 Sec. 18. NEW SECTION. 692A.118 DEPARTMENT DUTIES ==  
32 16 REGISTRY.

32 17 The department shall perform all of the following duties:

32 18 1. Develop an electronic system and standard forms for use  
32 19 in the registration of, verifying addresses of, and verifying  
32 20 understanding of registration requirements by sex offenders.  
32 21 Forms used to verify addresses of sex offenders shall contain  
32 22 a warning against forwarding a form to another address and of  
32 23 the requirement to return the form if the offender to whom the  
32 24 form is directed no longer resides at the address listed on  
32 25 the form or the mailing.

32 26 2. Maintain a central registry of information collected  
32 27 from sex offenders, which shall be known as the sex offender  
32 28 registry.

32 29 3. In consultation with the attorney general, adopt rules  
32 30 under chapter 17A which list specific offenses under present  
32 31 and former law which constitute sex offenses or sex offenses  
32 32 against a minor under this chapter.

32 33 4. Adopt rules under chapter 17A, as necessary, to ensure  
32 34 compliance with registration and verification requirements of  
32 35 this chapter, to provide guidelines for persons required to  
33 1 assist in obtaining registry information, and to provide a  
33 2 procedure for the dissemination of information contained in  
33 3 the registry. The procedure for the dissemination of  
33 4 information shall include but not be limited to practical  
33 5 guidelines for use by criminal or juvenile justice agencies in  
33 6 determining when public release of relevant information  
33 7 contained in the registry is appropriate and a requirement  
33 8 that if a member of the general public requests information  
33 9 regarding a specific individual in the manner provided in  
33 10 section 692A.121, the relevant information shall be released.  
33 11 The department, in developing the procedure, shall consult  
33 12 with associations which represent the interests of law  
33 13 enforcement officers. Rules adopted shall also include a

33 14 procedure for removal of information from the registry upon  
33 15 the reversal or setting aside of a conviction of an offender.

33 16 5. Submit sex offender registry data to the federal bureau  
33 17 of investigation for entry of the data into the national sex  
33 18 offender registry.

33 19 6. Perform the requirements under this chapter and under  
33 20 federal law in cooperation with the office of sex offender  
33 21 sentencing, monitoring, apprehending, registering, and  
33 22 tracking of the office of justice programs of the United  
33 23 States department of justice.

33 24 7. Enter and maintain fingerprints and palm prints of sex  
33 25 offenders in an automated fingerprint identification system  
33 26 maintained by the department and made accessible to law  
33 27 enforcement agencies in this state, of the federal government,  
33 28 or in another jurisdiction. The department or any law  
33 29 enforcement agency may use such prints for criminal  
33 30 investigative purposes, to include comparison against finger  
33 31 and palm prints identified or recovered as evidence in a  
33 32 criminal investigation.

33 33 8. Notify a jurisdiction that provided information that a  
33 34 sex offender has or intends to maintain a residence,  
33 35 employment, or attendance as a student, in this state, of the  
34 1 failure of the sex offender to register as required under this  
34 2 chapter.

34 3 9. Submit a DNA sample to the combined DNA index system,  
34 4 if a sample has not been submitted.

34 5 10. Submit the social security number to the national  
34 6 crime information center, if the number has not been  
34 7 submitted.

34 8 11. When the department has a reasonable basis to believe  
34 9 that a sex offender has changed residence to an unknown  
34 10 location, has become a fugitive from justice, or who has  
34 11 otherwise taken flight, the department shall make a reasonable  
34 12 effort to ascertain the whereabouts of the offender, and if  
34 13 such effort fails to identify the location of the offender, an  
34 14 appropriate notice shall be made on the sex offender registry  
34 15 internet site of this state and shall be transmitted to the  
34 16 national sex offender registry. The department shall notify  
34 17 other law enforcement agencies as deemed appropriate.

34 18 12. The department shall notify appropriate law  
34 19 enforcement agencies including the United States marshal  
34 20 service to investigate and verify possible violations. The  
34 21 department shall ensure any warrants for arrest are entered  
34 22 into the Iowa online warrant and articles system and the  
34 23 national crime information center and pursue prosecution of  
34 24 stated violations through state or federal court.

34 25 Sec. 19. NEW SECTION. 692A.119 SEX OFFENDER REGISTRY  
34 26 FUND.

34 27 A sex offender registry fund is established as a separate  
34 28 fund within the state treasury under the control of the  
34 29 department. The fund shall consist of moneys received as a  
34 30 result of the imposition of the penalty imposed under section  
34 31 692A.110 and other funds allocated for purposes of  
34 32 establishing and maintaining the sex offender registry,  
34 33 conducting research and analysis related to sex crimes and  
34 34 offenders, and to perform other duties required under this  
34 35 chapter. Notwithstanding section 8.33, unencumbered or  
35 1 unobligated moneys and any interest remaining in the fund on  
35 2 June 30 of any fiscal year shall not revert to the general  
35 3 fund of the state, but shall remain available for expenditure

35 4 in subsequent fiscal years.

35 5 Sec. 20. NEW SECTION. 692A.120 DUTIES OF THE SHERIFF.

35 6 The sheriff of each county shall comply with the  
35 7 requirements of this chapter and rules adopted by the  
35 8 department pursuant to this chapter. The sheriff of each  
35 9 county shall provide information and notices as provided in  
35 10 section 282.9.

35 11 Sec. 21. NEW SECTION. 692A.121 AVAILABILITY OF RECORDS.

35 12 1. The department shall maintain an internet site for the  
35 13 public and others to access relevant information about sex  
35 14 offenders. The internet site, at a minimum, shall be  
35 15 searchable by name, county, city, zip code, and geographic  
35 16 radius.

35 17 2. The department shall provide updated or corrected  
35 18 relevant information within five business days of the  
35 19 information being updated or corrected, from the sex offender  
35 20 registry to the following:

35 21 a. A criminal or juvenile justice agency, an agency of the  
35 22 state, a sex offender registry of another jurisdiction, or the  
35 23 federal government.

35 24 b. The general public through the sex offender registry  
35 25 internet site.

35 26 (1) The following relevant information about a sex  
35 27 offender shall be disclosed on the internet site:

35 28 (a) The date of birth.

35 29 (b) The name, nickname, aliases, including ethnic or  
35 30 tribal names.

35 31 (c) Photographs.

35 32 (d) The physical description, including scars, marks, or  
35 33 tattoos.

35 34 (e) The residence.

35 35 (f) The statutory citation and text of the offense  
36 1 committed that requires registration under this chapter.

36 2 (g) A specific reference indicating whether a particular  
36 3 sex offender is subject to residency restrictions pursuant to  
36 4 section 692A.114.

36 5 (h) A specific reference indicating whether a particular  
36 6 sex offender is subject to exclusion zone restrictions  
36 7 pursuant to section 692A.113.

36 8 (2) The following relevant information shall not be  
36 9 disclosed on the internet site:

36 10 (a) The relevant information about a sex offender who was  
36 11 under twenty years of age at the time the offender committed a  
36 12 violation of section 709.4, subsection 2, paragraph "c",  
36 13 subparagraph (4).

36 14 (b) The employer name, address, or location where a sex  
36 15 offender acts as an employee in any form of employment.

36 16 (c) The address and name of any school where a student  
36 17 required to be on the registry attends.

36 18 (d) The real name of a sex offender protected under 18  
36 19 U.S.C. } 3521.

36 20 (e) The statutory citation and text of the offense  
36 21 committed for an incest conviction in violation of section  
36 22 726.2, however, the citation and text of an incest conviction  
36 23 shall be disclosed on the internet site as a conviction of  
36 24 section 709.4 or 709.8.

36 25 (f) Any other relevant information not described in  
36 26 subparagraph (1).

36 27 c. The general public through any other means, at the  
36 28 discretion of the department, any relevant information that is

36 29 available on the internet site.

36 30 3. A criminal or juvenile justice agency may provide  
36 31 relevant information from the sex offender registry to the  
36 32 following:

36 33 a. A criminal or juvenile justice agency, an agency of the  
36 34 state, or a sex offender registry of another jurisdiction, or  
36 35 the federal government.

37 1 b. The general public, any information available to the  
37 2 general public in subsection 2, including public and private  
37 3 agencies, organizations, public places, child care facilities,  
37 4 religious and youth organizations, neighbors, neighborhood  
37 5 associations, community meetings, and employers. The relevant  
37 6 information available to the general public may be distributed  
37 7 to the public through printed materials, visual or audio press  
37 8 releases, radio communications, or through a criminal or  
37 9 juvenile justice agency's internet site.

37 10 4. When a sex offender moves into a school district or  
37 11 moves within a school district, the county sheriff of the  
37 12 county of the offender's new residence shall provide relevant  
37 13 information that is available to the general public in  
37 14 subsection 2 to the administrative office of the school  
37 15 district in which the person required to register resides, and  
37 16 shall also provide relevant information to any nonpublic  
37 17 school near the offender's residence.

37 18 5. a. A member of the public may contact a county  
37 19 sheriff's office to request relevant information from the  
37 20 registry regarding a specific sex offender. A person making a  
37 21 request for relevant information may make the request by  
37 22 telephone, in writing, or in person, and the request shall  
37 23 include the name of the person and at least one of the  
37 24 following identifiers pertaining to the sex offender about  
37 25 whom the information is sought:

37 26 (1) The date of birth of the person.

37 27 (2) The social security number of the person.

37 28 (3) The address of the person.

37 29 (4) Internet identifiers.

37 30 (5) Telephone numbers, including any landline or wireless  
37 31 numbers.

37 32 b. The relevant information made available to the general  
37 33 public pursuant to this subsection shall include all the  
37 34 relevant information provided to the general public on the  
37 35 internet site pursuant to subsection 2, and the following  
38 1 additional relevant information:

38 2 (1) Educational institutions attended as a student,  
38 3 including the name and address of such institution.

38 4 (2) Employment information including the name and address  
38 5 of employer.

38 6 (3) Temporary lodging information, including the dates  
38 7 when residing at the temporary lodging.

38 8 (4) Vehicle information.

38 9 c. A county sheriff or police department shall not charge  
38 10 a fee relating to a request for relevant information.

38 11 6. A county sheriff shall also provide to a person upon  
38 12 request access to a list of all registrants in that county.

38 13 7. The following relevant information shall not be  
38 14 provided to the general public:

38 15 a. The identity of the victim.

38 16 b. Arrests not resulting in a conviction.

38 17 c. Passport and immigration documents.

38 18 d. A government issued driver's license or identification

38 19 card.  
38 20 e. DNA information.  
38 21 f. Fingerprints.  
38 22 g. Palm prints.  
38 23 h. Professional licensing information.  
38 24 i. Social security number.  
38 25 j. Real name protected under 18 U.S.C. } 3521.  
38 26 8. Notwithstanding sections 232.147 through 232.151,  
38 27 records concerning convictions which are committed by a minor  
38 28 may be released in the same manner as records of convictions  
38 29 of adults.  
38 30 9. A person may contact the department or a county  
38 31 sheriff's office to verify if a particular internet identifier  
38 32 or telephone number is one that has been included in a  
38 33 registration by a sex offender.  
38 34 10. The department shall include links to sex offender  
38 35 safety information, educational resources pertaining to the  
39 1 prevention of sexual assaults, and the national sex offender  
39 2 registry.  
39 3 11. The department shall include on the sex offender  
39 4 registry internet site instructions and any applicable forms  
39 5 necessary for a person seeking correction of information that  
39 6 the person contends is erroneous.  
39 7 12. When the department receives and approves registration  
39 8 data, such data shall be made available on the sex offender  
39 9 registry internet site within five business days.  
39 10 13. The department shall maintain an automated electronic  
39 11 mail notification system, which shall be available by free  
39 12 subscription to any person, to provide notice of addition,  
39 13 deletion, or changes to any sex offender registration,  
39 14 relevant information within a postal zip code or, if selected  
39 15 by a subscriber, a geographic radius or, if selected by a  
39 16 subscriber, specific to a sex offender.  
39 17 14. Sex offender registry records are confidential records  
39 18 not subject to examination and copying by a member of the  
39 19 public and shall only be released as provided in this section.  
39 20 Sec. 22. NEW SECTION. 692A.122 COOPERATION WITH  
39 21 REGISTRATION.  
39 22 An agency of state and local government that possesses  
39 23 information relevant to requirements that an offender register  
39 24 under this chapter shall provide that information to the court  
39 25 or the department upon request. All confidential records  
39 26 provided under this section shall remain confidential, unless  
39 27 otherwise ordered by a court, by the lawful custodian of the  
39 28 records, or by another person duly authorized to release such  
39 29 information.  
39 30 Sec. 23. NEW SECTION. 692A.123 IMMUNITY FOR GOOD FAITH  
39 31 CONDUCT.  
39 32 Criminal or juvenile justice agencies and employees of  
39 33 criminal or juvenile justice agencies and state agencies and  
39 34 their employees shall be immune from liability for acts or  
39 35 omissions arising from a good faith effort to comply with this  
40 1 chapter.  
40 2 Sec. 24. NEW SECTION. 692A.124 ELECTRONIC MONITORING.  
40 3 1. A sex offender who is placed on probation, parole, work  
40 4 release, special sentence, or any other type of conditional  
40 5 release, may be supervised by an electronic tracking and  
40 6 monitoring system in addition to any other conditions of  
40 7 supervision.  
40 8 2. The determination to use electronic tracking and

40 9 monitoring to supervise a sex offender shall be based upon a  
40 10 validated risk assessment approved by the department of  
40 11 corrections, and also upon the sex offender's criminal  
40 12 history, progress in treatment and supervision, and other  
40 13 relevant factors.

40 14 3. If a sex offender is under the jurisdiction of the  
40 15 juvenile court, the determination to use electronic tracking  
40 16 and monitoring to supervise the sex offender shall be based  
40 17 upon a risk assessment performed by a juvenile court officer.

40 18 Sec. 25. NEW SECTION. 692A.125 APPLICABILITY OF CHAPTER  
40 19 AND RETROACTIVITY.

40 20 1. The registration requirements of this chapter shall  
40 21 apply to sex offenders convicted on or after the effective  
40 22 date of this Act of a sex offense classified under section  
40 23 692A.102.

40 24 2. The registration requirements of this chapter shall  
40 25 apply to a sex offender convicted of a sex offense or a  
40 26 comparable offense under prior law prior to the effective date  
40 27 of this Act under the following circumstances:

40 28 a. Any sex offender including a juvenile offender who is  
40 29 required to be on the sex offender registry as of June 30,  
40 30 2009.

40 31 b. Any sex offender who is incarcerated on or after the  
40 32 effective date of this Act, for conviction of a sex offense  
40 33 committed prior to the effective date of this Act.

40 34 c. Any sex offender who is serving a special sentence  
40 35 pursuant to section 903B.1 or 903B.2 prior to the effective  
41 1 date of this Act.

41 2 3. For a sex offender required to register pursuant to  
41 3 subsection 1 or 2, each conviction or adjudication for a sex  
41 4 offense requiring registration, regardless of whether such  
41 5 conviction or adjudication occurred prior to, on, or after the  
41 6 effective date of this Act, shall be included in determining  
41 7 the tier requirements pursuant to this chapter.

41 8 4. An offender on the sex offender registry as of June 30,  
41 9 2009, and who is required to be on the registry on or after  
41 10 July 1, 2009, shall be credited for any time on the registry  
41 11 prior to July 1, 2009.

41 12 Sec. 26. NEW SECTION. 692A.126 SEXUALLY MOTIVATED  
41 13 OFFENSE == DETERMINATION.

41 14 1. If a judge or jury makes a determination, beyond a  
41 15 reasonable doubt, that any of the following offenses for which  
41 16 a conviction has been entered are sexually motivated, the  
41 17 person shall be required to register as provided in this  
41 18 chapter:

41 19 a. Murder in the first degree in violation of section  
41 20 707.2.

41 21 b. Murder in the second degree in violation of section  
41 22 707.3.

41 23 c. Voluntary manslaughter in violation of section 707.4.

41 24 d. Involuntary manslaughter in violation of section 707.5.

41 25 e. Attempt to commit murder in violation of section  
41 26 707.11.

41 27 f. Harassment in violation of section 708.7, subsection 1,  
41 28 2, or 3.

41 29 g. Stalking in violation of section 708.11, subsection 3,  
41 30 paragraph "b", subparagraph (3).

41 31 h. Kidnapping in the first degree in violation of section  
41 32 710.2.

41 33 i. Kidnapping in the second degree in violation of section



41 34 710.3.  
41 35 j. Kidnapping in the third degree in violation of section  
42 1 710.4.  
42 2 k. Child stealing in violation of section 710.5.  
42 3 l. Purchase or sale or attempted purchase or sale of an  
42 4 individual in violation of section 710.11.  
42 5 m. Burglary in the first degree in violation of section  
42 6 713.3, subsection 1, paragraph "a", "b", or "c".  
42 7 n. Attempted burglary in the first degree in violation of  
42 8 section 713.4.  
42 9 o. Burglary in the second degree in violation of section  
42 10 713.5.  
42 11 p. Attempted burglary in the second degree in violation of  
42 12 section 713.6.  
42 13 q. Burglary in the third degree in violation of section  
42 14 713.6A.  
42 15 r. Attempted burglary in the third degree in violation of  
42 16 section 713.6B.  
42 17 2. If a person is convicted of an offense in another  
42 18 jurisdiction, or of an offense that was prosecuted in a  
42 19 federal, military, or foreign court, that is comparable to an  
42 20 offense specified in subsection 1, the person shall be  
42 21 required to register as provided in this chapter if the  
42 22 department makes a determination that the offense was sexually  
42 23 motivated.  
42 24 3. If a juvenile is convicted of an offense in another  
42 25 jurisdiction, or of an offense as a juvenile in a similar  
42 26 juvenile court proceeding in a federal, military, or foreign  
42 27 court, that is comparable to an offense specified in  
42 28 subsection 1, the person shall be required to register as  
42 29 provided in this chapter if the department makes a  
42 30 determination that the offense was sexually motivated.  
42 31 Sec. 27. NEW SECTION. 692A.127 LIMITATIONS ON POLITICAL  
42 32 SUBDIVISIONS.  
42 33 A political subdivision of the state shall not adopt any  
42 34 motion, resolution, or ordinance regulating the residency  
42 35 location of a sex offender or any motion, resolution, or  
43 1 ordinance regulating the exclusion of a sex offender from  
43 2 certain real property. A motion, resolution, or ordinance  
43 3 adopted by a political subdivision of the state in violation  
43 4 of this section is void and unenforceable and any enforcement  
43 5 activity conducted in violation of this section is void.  
43 6 Sec. 28. NEW SECTION. 692A.128 MODIFICATION.  
43 7 1. A sex offender who is on probation, parole, work  
43 8 release, special sentence, or any other type of conditional  
43 9 release may file an application in district court seeking to  
43 10 modify the registration requirements under this chapter.  
43 11 2. An application shall not be granted unless all of the  
43 12 following apply:  
43 13 a. The date of the commencement of the requirement to  
43 14 register occurred at least two years prior to the filing of  
43 15 the application for a tier I offender and five years prior to  
43 16 the filing of the application for a tier II or III offender.  
43 17 b. The sex offender has successfully completed all sex  
43 18 offender treatment programs that have been required.  
43 19 c. A risk assessment has been completed and the sex  
43 20 offender was classified as a low risk to reoffend. The risk  
43 21 assessment used to assess an offender as a low risk to  
43 22 reoffend shall be a validated risk assessment approved by the  
43 23 department of corrections.

43 24 d. The sex offender is not incarcerated when the  
43 25 application is filed.

43 26 e. The director of the judicial district department of  
43 27 correctional services supervising the sex offender, or the  
43 28 director's designee, stipulates to the modification, and a  
43 29 certified copy of the stipulation is attached to the  
43 30 application.

43 31 3. The application shall be filed in the sex offender's  
43 32 county of principal residence.

43 33 4. Notice of any application shall be provided to the  
43 34 county attorney of the county of the sex offender's principal  
43 35 residence, the county attorney of any county in this state  
44 1 where a conviction requiring the sex offender's registration  
44 2 occurred, and the department. The county attorney where the  
44 3 conviction occurred shall notify the victim of an application  
44 4 if the victim's address is known.

44 5 5. The court may, but is not required to, conduct a  
44 6 hearing on the application to hear any evidence deemed  
44 7 appropriate by the court. The court may modify the  
44 8 registration requirements under this chapter.

44 9 6. A sex offender may be granted a modification if the  
44 10 offender is required to be on the sex offender registry as a  
44 11 result of an adjudication for a sex offense, the offender is  
44 12 not under the supervision of the juvenile court or a judicial  
44 13 district judicial department of correctional services, and the  
44 14 department of corrections agrees to perform a risk assessment  
44 15 on the sex offender. However, all other provisions of this  
44 16 section not in conflict with this subsection shall apply to  
44 17 the application prior to an application being granted except  
44 18 that the sex offender is not required to obtain a stipulation  
44 19 from the director of a judicial district department of  
44 20 correctional services, or the director's designee.

44 21 7. If the court modifies the registration requirements  
44 22 under this chapter, the court shall send a copy of the order  
44 23 to the department, the sheriff of the county of the sex  
44 24 offender's principal residence, any county attorney notified  
44 25 in subsection 4, and the victim, if the victim's address is  
44 26 known.

44 27 Sec. 29. NEW SECTION. 692A.129 PROBATION AND PAROLE  
44 28 OFFICERS.

44 29 A probation or parole officer supervising a sex offender is  
44 30 not precluded from imposing more restrictive exclusion zone  
44 31 requirements, employment prohibitions, and residency  
44 32 restrictions than under sections 692A.113 and 692A.114.

44 33 Sec. 30. NEW SECTION. 692A.130 RULES.

44 34 The department shall adopt rules pursuant to chapter 17A to  
44 35 administer this chapter.

45 1 Sec. 31. Sections 692A.1 through 692A.16, Code 2009, are  
45 2 repealed.

#### DIVISION II

##### SEX OFFENDER REGISTRY RELATED CHANGES

45 5 Sec. 32. Section 13.2, subsection 1, paragraph d, Code  
45 6 2009, is amended to read as follows:

45 7 d. Prosecute and defend all actions and proceedings  
45 8 brought by or against any employee of a judicial district  
45 9 department of correctional services in the performance of an  
45 10 assessment of risk ~~pursuant to chapter 692A.~~

45 11 Sec. 33. Section 22.7, subsection 48, Code 2009, is  
45 12 amended to read as follows:

45 13 48. Sex offender registry records under chapter 692A,

45 14 except as provided in section ~~692A.13~~ 692A.121.

45 15 Sec. 34. Section 232.53, subsections 2 and 3, Code 2009,  
45 16 are amended to read as follows:

45 17 2. All dispositional orders entered prior to the child  
45 18 attaining the age of seventeen years shall automatically  
45 19 terminate when the child becomes eighteen years of age, except  
45 20 as provided in section 2A. Dispositional orders entered  
45 21 subsequent to the child attaining the age of seventeen years  
45 22 and prior to the child's eighteenth birthday shall  
45 23 automatically terminate one year and six months after the date  
45 24 of disposition. In the case of an adult within the  
45 25 jurisdiction of the court under the provisions of section  
45 26 232.8, subsection 1, the dispositional order shall  
45 27 automatically terminate one year and six months after the last  
45 28 date upon which jurisdiction could attach.

45 29 3. Notwithstanding section 233A.13, a child committed to  
45 30 the training school subsequent to the child attaining the age  
45 31 of seventeen years and prior to the child's eighteenth  
45 32 birthday may be held at the school beyond the child's  
45 33 eighteenth birthday pursuant to subsection 2 or 2A, provided  
45 34 that the training school makes application to and receives  
45 35 permission from the committing court. This extension shall be  
46 1 for the purpose of completion by the child of a course of  
46 2 instruction established for the child pursuant to section  
46 3 233A.4 and cannot extend for more than one year and six months  
46 4 beyond the date of disposition unless the duration of the  
46 5 dispositional order was extended pursuant to section 2A.

46 6 Sec. 35. Section 232.52A, Code 2009, is amended by adding  
46 7 the following new unnumbered paragraph:

46 8 NEW UNNUMBERED PARAGRAPH. If the duration of a  
46 9 dispositional order is extended pursuant to section 232.53,  
46 10 subsection 2A, the court may continue or extend supervision by  
46 11 an electronic tracking and monitoring system in addition to  
46 12 any other conditions of supervision.

46 13 Sec. 36. Section 232.53, Code 2009, is amended by adding  
46 14 the following new subsection:

46 15 NEW SUBSECTION. 2A. A dispositional order entered prior  
46 16 to the child attaining the age of seventeen, for a child  
46 17 required to register as a sex offender pursuant to the  
46 18 provisions of chapter 692A, may be extended one year and six  
46 19 months beyond the date the child becomes eighteen years of  
46 20 age.

46 21 Sec. 37. Section 232.54, Code 2009, is amended by adding  
46 22 the following new subsection:

46 23 NEW SUBSECTION. 8A. With respect to a dispositional order  
46 24 requiring a child to register as a sex offender pursuant to  
46 25 chapter 692A, the juvenile court shall determine whether the  
46 26 child shall remain on the sex offender registry prior to  
46 27 termination of the dispositional order.

46 28 Sec. 38. Section 232.116, subsection 1, paragraph o, Code  
46 29 2009, is amended to read as follows:

46 30 o. The parent has been convicted of a felony offense that  
46 31 is a ~~criminal sex~~ offense against a minor as defined in  
46 32 section ~~692A.1~~ 692A.101, the parent is divorced from or was  
46 33 never married to the minor's other parent, and the parent is  
46 34 serving a minimum sentence of confinement of at least five  
46 35 years for that offense.

47 1 Sec. 39. Section 272.2, subsection 17, Code 2009, is  
47 2 amended to read as follows:

47 3 17. Adopt rules to require that a background investigation

47 4 be conducted by the division of criminal investigation of the  
 47 5 department of public safety on all initial applicants for  
 47 6 licensure. The board shall also require all initial  
 47 7 applicants to submit a completed fingerprint packet and shall  
 47 8 use the packet to facilitate a national criminal history  
 47 9 background check. The board shall have access to, and shall  
 47 10 review the sex offender registry information under section  
 47 11 ~~692A.13~~ 692A.121 available to the general public, the central  
 47 12 registry for child abuse information established under chapter  
 47 13 235A, and the dependent adult abuse records maintained under  
 47 14 chapter 235B for information regarding applicants for license  
 47 15 renewal.

47 16 Sec. 40. Section 279.13, subsection 1, paragraph b,  
 47 17 subparagraph (1), Code 2009, is amended to read as follows:

47 18 (1) Prior to entering into an initial contract with a  
 47 19 teacher who holds a license other than an initial license  
 47 20 issued by the board of educational examiners under chapter  
 47 21 272, the school district shall initiate a state criminal  
 47 22 history record check of the applicant through the division of  
 47 23 criminal investigation of the department of public safety,  
 47 24 submit the applicant's fingerprints to the division for  
 47 25 submission to the federal bureau of investigation for a  
 47 26 national criminal history record check, and review the sex  
 47 27 offender registry information under section ~~692A.13~~ 692A.121  
 47 28 available to the general public, the central registry for  
 47 29 child abuse information established under section 235A.14, and  
 47 30 the central registry for dependent adult abuse information  
 47 31 established under section 235B.5 for information regarding  
 47 32 applicants for employment as a teacher.

47 33 Sec. 41. Section 282.9, subsection 2, Code 2009, is  
 47 34 amended to read as follows:

47 35 2. Notwithstanding section ~~692A.13~~ 692A.121, or any other  
 48 1 provision of law to the contrary, the county sheriff shall  
 48 2 provide to the boards of directors of the school districts  
 48 3 located within the county the name of any individual under the  
 48 4 age of twenty-one who is required to register as a sex  
 48 5 offender under chapter 692A.

48 6 Sec. 42. Section 598.41A, Code 2009, is amended to read as  
 48 7 follows:

48 8 598.41A VISITATION == HISTORY OF CRIMES AGAINST A MINOR.

48 9 Notwithstanding section 598.41, the court shall consider in  
 48 10 the award of visitation rights to a parent of a child, the  
 48 11 criminal history of the parent if the parent has been  
 48 12 convicted of a ~~criminal offense against a minor, a sexually~~  
~~48 13 violent offense against a minor, or sexual exploitation of a~~  
~~48 14 minor. As used in this section, "criminal offense against a~~  
~~48 15 minor", "sexually violent offense", and "sexual exploitation"~~  
~~48 16 mean as defined in section 692A.1 sex offense against a minor~~  
 48 17 as defined in section 692A.101.

48 18 Sec. 43. Section 600A.8, subsection 10, Code 2009, is  
 48 19 amended to read as follows:

48 20 10. The parent has been convicted of a felony offense that  
 48 21 is a ~~criminal sex~~ offense against a minor as defined in  
 48 22 section ~~692A.1~~ 692A.101, the parent is divorced from or was  
 48 23 never married to the minor's other parent, and the parent is  
 48 24 serving a minimum sentence of confinement of at least five  
 48 25 years for that offense.

48 26 Sec. 44. Section 602.8105, subsection 2, Code 2009, is  
 48 27 amended by adding the following new paragraph:

48 28 NEW PARAGRAPH. gg. For applicable convictions under

48 29 section 692A.110 prior to July 1, 2009, a civil penalty of two  
48 30 hundred dollars, and for applicable convictions under section  
48 31 692A.110 on or after July 1, 2009, a civil penalty of two  
48 32 hundred fifty dollars.

48 33 Sec. 45. Section 602.8107, subsection 4, paragraph a, Code  
48 34 2009, is amended to read as follows:

48 35 a. This subsection does not apply to amounts collected for  
49 1 victim restitution, the victim compensation fund, the criminal  
49 2 penalty surcharge, sex offender civil penalty, drug abuse  
49 3 resistance education surcharge, the law enforcement initiative  
49 4 surcharge, county enforcement surcharge, amounts collected as  
49 5 a result of procedures initiated under subsection 5 or under  
49 6 section 8A.504, or fees charged pursuant to section 356.7.

49 7 Sec. 46. Section 602.8108, subsection 2, Code 2009, is  
49 8 amended to read as follows:

49 9 2. Except as otherwise provided, the clerk of the district  
49 10 court shall report and submit to the state court  
49 11 administrator, not later than the fifteenth day of each month,  
49 12 the fines and fees received during the preceding calendar  
49 13 month. Except as provided in subsections 3, 4, 5, 7, 8, ~~and~~  
49 14 9, and 10, the state court administrator shall deposit the  
49 15 amounts received with the treasurer of state for deposit in  
49 16 the general fund of the state. The state court administrator  
49 17 shall report to the legislative services agency within thirty  
49 18 days of the beginning of each fiscal quarter the amount  
49 19 received during the previous quarter in the account  
49 20 established under this section.

49 21 Sec. 47. Section 602.8108, Code 2009, is amended by adding  
49 22 the following new subsection:

49 23 NEW SUBSECTION. 10. The clerk of the district court shall  
49 24 remit to the treasurer of state, not later than the fifteenth  
49 25 day of each month, all moneys collected from the sex offender  
49 26 civil penalty provided in section 692A.110 during the  
49 27 preceding calendar month. Of the amount received from the  
49 28 clerk, the treasurer of state shall allocate ten percent to be  
49 29 deposited in the court technology and modernization fund  
49 30 established in subsection 7. The treasurer of state shall  
49 31 deposit the remainder into the sex offender registry fund  
49 32 established in section 692A.119.

49 33 Sec. 48. Section 707.2, Code 2009, is amended by adding  
49 34 the following new unnumbered paragraph after subsection 6:

49 35 NEW UNNUMBERED PARAGRAPH. For purposes of determining  
50 1 whether a person should register as a sex offender pursuant to  
50 2 the provisions of chapter 692A, the fact finder shall make a  
50 3 determination as provided in section 692A.126.

50 4 Sec. 49. Section 707.3, Code 2009, is amended by adding  
50 5 the following new unnumbered paragraph after unnumbered  
50 6 paragraph 2:

50 7 NEW UNNUMBERED PARAGRAPH. For purposes of determining  
50 8 whether a person should register as a sex offender pursuant to  
50 9 the provisions of chapter 692A, the fact finder shall make a  
50 10 determination as provided in section 692A.126.

50 11 Sec. 50. Section 707.4, Code 2009, is amended by adding  
50 12 the following new unnumbered paragraph after unnumbered  
50 13 paragraph 3:

50 14 NEW UNNUMBERED PARAGRAPH. For purposes of determining  
50 15 whether a person should register as a sex offender pursuant to  
50 16 the provisions of chapter 692A, the fact finder shall make a  
50 17 determination as provided in section 692A.126.

50 18 Sec. 51. Section 707.5, Code 2009, is amended by adding

50 19 the following new subsection:

50 20 NEW SUBSECTION. 3. For purposes of determining whether a  
50 21 person should register as a sex offender pursuant to the  
50 22 provisions of chapter 692A, the fact finder shall make a  
50 23 determination as provided in section 692A.126.

50 24 Sec. 52. Section 707.11, Code 2009, is amended by adding  
50 25 the following new unnumbered paragraph after unnumbered  
50 26 paragraph 2:

50 27 NEW UNNUMBERED PARAGRAPH. For purposes of determining  
50 28 whether the person should register as a sex offender pursuant  
50 29 to the provisions of chapter 692A, the fact finder shall make  
50 30 a determination as provided in section 692A.126.

50 31 Sec. 53. Section 708.7, Code 2009, is amended by adding  
50 32 the following new subsection:

50 33 NEW SUBSECTION. 5. For purposes of determining whether or  
50 34 not the person should register as a sex offender pursuant to  
50 35 the provisions of chapter 692A, the fact finder shall make a  
51 1 determination as provided in section 692A.126.

51 2 Sec. 54. Section 708.11, Code 2009, is amended by adding  
51 3 the following new subsection:

51 4 NEW SUBSECTION. 6. For purposes of determining whether or  
51 5 not the person should register as a sex offender pursuant to  
51 6 the provisions of chapter 692A, the fact finder shall make a  
51 7 determination as provided in section 692A.126.

51 8 Sec. 55. Section 710.2, Code 2009, is amended by adding  
51 9 the following new unnumbered paragraph after unnumbered  
51 10 paragraph 2:

51 11 NEW UNNUMBERED PARAGRAPH. For purposes of determining  
51 12 whether the person should register as a sex offender pursuant  
51 13 to the provisions of chapter 692A, the fact finder shall make  
51 14 a determination as provided in section 692A.126.

51 15 Sec. 56. Section 710.3, Code 2009, is amended by adding  
51 16 the following new unnumbered paragraph:

51 17 NEW UNNUMBERED PARAGRAPH. For purposes of determining  
51 18 whether the person should register as a sex offender pursuant  
51 19 to the provisions of chapter 692A, the fact finder shall make  
51 20 a determination as provided in section 692A.126.

51 21 Sec. 57. Section 710.4, Code 2009, is amended by adding  
51 22 the following new unnumbered paragraph:

51 23 NEW UNNUMBERED PARAGRAPH. For purposes of determining  
51 24 whether the person should register as a sex offender pursuant  
51 25 to the provisions of chapter 692A, the fact finder shall make  
51 26 a determination as provided in section 692A.126.

51 27 Sec. 58. Section 710.5, Code 2009, is amended by adding  
51 28 the following new unnumbered paragraph:

51 29 NEW UNNUMBERED PARAGRAPH. For purposes of determining  
51 30 whether the person should register as a sex offender pursuant  
51 31 to the provisions of chapter 692A, the fact finder shall make  
51 32 a determination as provided in section 692A.126.

51 33 Sec. 59. Section 903B.1, Code 2009, is amended to read as  
51 34 follows:

51 35 903B.1 SPECIAL SENTENCE == CLASS "B" OR CLASS "C"  
52 1 FELONIES.

52 2 A person convicted of a class "C" felony or greater offense  
52 3 under chapter 709, or a class "C" felony under section 728.12,  
52 4 shall also be sentenced, in addition to any other punishment  
52 5 provided by law, to a special sentence committing the person  
52 6 into the custody of the director of the Iowa department of  
52 7 corrections for the rest of the person's life, with  
52 8 eligibility for parole as provided in chapter 906. The board

52 9 of parole shall determine whether the person should be  
52 10 released on parole or placed in a work release program. The  
52 11 special sentence imposed under this section shall commence  
52 12 upon completion of the sentence imposed under any applicable  
52 13 criminal sentencing provisions for the underlying criminal  
52 14 offense and the person shall begin the sentence under  
52 15 supervision as if on parole or work release. The person shall  
52 16 be placed on the corrections continuum in chapter 901B, and  
52 17 the terms and conditions of the special sentence, including  
52 18 violations, shall be subject to the same set of procedures set  
52 19 out in chapters 901B, 905, 906, and chapter 908, and rules  
52 20 adopted under those chapters for persons on parole or work  
52 21 release. The revocation of release shall not be for a period  
52 22 greater than two years upon any first revocation, and five  
52 23 years upon any second or subsequent revocation. A special  
52 24 sentence shall be considered a category "A" sentence for  
52 25 purposes of calculating earned time under section 903A.2.  
52 26 Sec. 60. Section 903B.2, Code 2009, is amended to read as  
52 27 follows:  
52 28 903B.2 SPECIAL SENTENCE == CLASS "D" FELONIES OR  
52 29 MISDEMEANORS.  
52 30 A person convicted of a misdemeanor or a class "D" felony  
52 31 offense under chapter 709, section 726.2, or section 728.12  
52 32 shall also be sentenced, in addition to any other punishment  
52 33 provided by law, to a special sentence committing the person  
52 34 into the custody of the director of the Iowa department of  
52 35 corrections for a period of ten years, with eligibility for  
53 1 parole as provided in chapter 906. The board of parole shall  
53 2 determine whether the person should be released on parole or  
53 3 placed in a work release program. The special sentence  
53 4 imposed under this section shall commence upon completion of  
53 5 the sentence imposed under any applicable criminal sentencing  
53 6 provisions for the underlying criminal offense and the person  
53 7 shall begin the sentence under supervision as if on parole or  
53 8 work release. The person shall be placed on the corrections  
53 9 continuum in chapter 901B, and the terms and conditions of the  
53 10 special sentence, including violations, shall be subject to  
53 11 the same set of procedures set out in chapters 901B, 905, 906,  
53 12 and 908, and rules adopted under those chapters for persons on  
53 13 parole or work release. The revocation of release shall not  
53 14 be for a period greater than two years upon any first  
53 15 revocation, and five years upon any second or subsequent  
53 16 revocation. A special sentence shall be considered a category  
53 17 "A" sentence for purposes of calculating earned time under  
53 18 section 903A.2.  
53 19 Sec. 61. Section 907.3, subsection 1, Code 2009, is  
53 20 amended by adding the following new paragraph:  
53 21 NEW PARAGRAPH. m. The offense is a violation of chapter  
53 22 692A.  
53 23 Sec. 62. Section 907.3, subsection 2, Code 2009, is  
53 24 amended by adding the following new paragraph:  
53 25 NEW PARAGRAPH. g. The offense is a violation of chapter  
53 26 692A.  
53 27 Sec. 63. NEW SECTION. 915.17A NOTIFICATION BY JUDICIAL  
53 28 DISTRICT DEPARTMENT OF CORRECTIONAL SERVICES.  
53 29 A judicial district department of correctional services  
53 30 shall notify a registered victim, regarding a sex offender  
53 31 convicted of a sex offense against a minor who is under the  
53 32 supervision of a judicial district department of correctional  
53 33 services, of the following:

53 34 1. The beginning date for use of an electronic tracking  
53 35 and monitoring system to supervise the sex offender and the  
54 1 type of electronic tracking and monitoring system used.  
54 2 2. The date of any modification to the use of an  
54 3 electronic tracking and monitoring system and the nature of  
54 4 the change.

54 5 DIVISION III

54 6 COHABITATION WITH A SEX OFFENDER

54 7 Sec. 64. Section 232.68, subsection 2, paragraph i, Code  
54 8 2009, is amended to read as follows:

54 9 i. ~~Cohabitation with a person~~ Knowingly allowing a person  
54 10 custody or control of, or unsupervised access to a child or  
54 11 minor, after knowing the person is required to register or is  
54 12 on the sex offender registry under chapter 692A in for a  
54 13 violation of section 726.6.

54 14 Sec. 65. Section 726.6, subsection 1, paragraph h, Code  
54 15 2009, is amended to read as follows:

54 16 h. ~~Cohabits with a person~~ Knowingly allows a person  
54 17 custody or control of, or unsupervised access to a child or a  
54 18 minor after knowing the person is required to register or is  
54 19 on the sex offender registry as a sex offender under chapter  
54 20 692A. However, this paragraph does not apply to a person who  
54 21 is a parent, or guardian, or a person having custody or  
54 22 control over of a child or a minor, who is required to  
54 23 register as a sex offender, or to a person who is married to  
54 24 and living with a person required to register as a sex  
54 25 offender.

54 26 DIVISION IV

54 27 STATE MANDATE

54 28 Sec. 66. IMPLEMENTATION OF ACT. Section 25B.2, subsection  
54 29 3, shall not apply to this Act.

54 30

54 31

54 32

54 33

JOHN P. KIBBIE

54 34

President of the Senate

54 35

55 1

55 2

55 3

PATRICK J. MURPHY

55 4

Speaker of the House

55 5

55 6 I hereby certify that this bill originated in the Senate and  
55 7 is known as Senate File 340, Eighty-third General Assembly.

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55 11

MICHAEL E. MARSHALL

55 12

Secretary of the Senate

55 13 Approved \_\_\_\_\_, 2009

55 14

55 15

55 16

55 17 CHESTER J. CULVER

55 18 Governor